

## **Town of Monroe Planning Board Regular Meeting**

**Date and Time:** March 8, 2016 7:30 pm

**Location :** Town of Monroe Senior Center, 101 Mine Road, Monroe, NY

**Members Present:** Chairperson Elisa Tutini, Richard Troiano, Lisa McQuade, Jerome O'Connell, Gary Abrignani, Mary Bingham, and Audra Schwartz.

**Members Absent:** None

**Consultants Present:** Attorney Mike Donnelly, Engineer Mark Edsall, Engineer Shaun Arnott, Ward Bower, Conservation Commission

### **PUBLIC HEARING**

**Rye Hill Estates (13-007) Section 31- Block 1- Lot 29 Off Rye Hill Road** (please see attached transcript)

Member Troiano made a motion to close the public hearing, seconded by Member McQuade. The motion was approved 7/0, with Chairperson Tutini and Members McQuade, Troiano, Abrignani, Bingham, O'Connell, and Schwartz voting "aye".

**1. Rye Hill Estates (13-007) Section 31- Block 1- Lot 29 Off Rye Hill Road Mark Siemers, Representative**

Mark Siemers said he would prepare a document in response to the comments made at the Public Hearing. Chairperson Tutini said the document would be posted on the Town's website. Member Bingham expressed concern about animals being affected by a road cutting through the wetlands. Mark Siemers said the road would be put through the narrowest section of the wetlands and they would add a second drainage pipe at a higher elevation to allow for the passage of any animals there. Engineer Edsall said he had some minor comments on the SWPPP.

**2. Lands of Fini (Phase 1) (0092-2005) Section 31- Block 2- Lots 25.42,27,28 Off Rye Hill Road Pietro Fini, Owner**

Member Bingham made a motion to grant an extension of Conditional Final Approval until June 14, 2016, seconded by Member O'Connell. The motion was approved 6/0, with Chairperson Tutini and Members O'Connell, Bingham, McQuade, Troiano, and Abrignani voting "aye". Member Schwartz abstained.

**3. Lands of Fini- Overall Subdivision (0092-2005) Section 31- Block 2- Lots 25.42, 27, 28 Off Rye Hill Road Pietro Fini, Owner**

Member O'Connell made a motion to grant an extension of Preliminary Approval until September 12, 2016, seconded by Member Abrignani. The motion was approved 6/0, with Chairperson Tutini and Members Troiano, McQuade, Abrignani, O'Connell and Bingham voting "aye". Member Schwartz abstained.

**4. Bald Hill Estates (0002-2000) Section 1- Block 3- Lots 25.2& 27.12 Off County Route 105 Dubja Realty, Owner**

Attorney Donnelly said he had spoken to George Lithco, the project's representative. George Lithco said the applicant was going to do a traffic study and go before the Town Board of Monroe regarding a water district before returning to the Planning Board. Member Troiano made a motion to grant a three month extension of Preliminary Approval until June 14, 2016, seconded by Member Abrignani. The motion was approved 7/0, with Chairperson Tutini and Members Troiano, McQuade, Abrignani, O'Connell, Bingham, and Schwartz voting "aye."

**5. Mendel Breuer Office (12-008) Section 2- Block 1- Lot 5.112 Off Old Country Road and Larkin Drive Owner- Mendel Breuer, John Loch, Representative**

John Loch said he had submitted revised plans and was hoping to schedule a public hearing for the project. Engineer Edsall discussed his comments (please see attached). The Planning Board discussed the project. Member Schwartz asked for the narrative to be revised. Member Bingham made a motion to set a public hearing for April 12, 2016, seconded by Member Troiano. The motion was approved 7/0, with Chairperson Tutini and Members Troiano, McQuade, Abrignani, Bingham, Schwartz, and O'Connell voting "aye".

**6. Katzman (15-007) Section 25- Block 2- Lot 11 Off Emma Lane Owner- Michael Katzman**

Michael Katzman explained that the project was an office he used when at home. He explained that he traveled often, as he was a sales representative. Engineer Edsall said he was satisfied with the plans (please see attached). The Planning Board, its consultants, and Michael Katzman discussed the project. Member Abrignani made a motion to issue a negative declaration, seconded by Member O'Connell. The motion was approved 7/0, with Chairperson Tutini and Members Abrignani, O'Connell, Troiano, McQuade, Schwartz, and Bingham voting "aye". Member O'Connell made a motion to approve the Resolution of Conditional Final Approval, seconded by Member Abrignani. The motion was approved 7/0, with Chairperson Tutini and Members Troiano, McQuade, Bingham, O'Connell, Abrignani and Schwartz voting "aye".

**ADMINISTRATIVE**

Chairperson Tutini made a motion to approve the January 5, 2016, minutes, seconded by Member Troiano. The motion was not approved 3/3, with Chairperson Tutini and Members

Troiano and McQuade voting "aye", and Members Schwartz, Abrignani, and O'Connell voting "nay". Member Bingham abstained. The January 5, 2016, minutes remain draft.

The Planning Board discussed the February 2, 2016, minutes. Member Bingham had several revisions. The secretary asked if she would email her revisions. Member Bingham said she would. The Planning Board agreed to table the minutes.

Member Troiano made a motion to approve the February 9, 2016, minutes, seconded by Chairperson Tutini. The motion was not approved 4/3, with Members Abrignani, O'Connell, Bingham, and Schwartz voting "no." Chairperson Tutini and Members Troiano and McQuade voted "aye." The February 9, 2016, minutes remain draft.

Member Schwartz made a motion to enter into attorney/client session, seconded by Member Abrignani. The motion was approved 5/1, with Members Abrignani, Schwartz, O'Connell, Bingham, and McQuade voting "aye." Chairperson Tutini said "no". Member Troiano abstained.

The Planning Board emerged from attorney/ client session. Member O'Connell made a motion to adjourn, seconded by Member Abrignani. The motion was approved 7/0, with Chairperson Tutini and Members Troiano, McQuade, Abrignani, Bingham, Schwartz, and Bingham voting "aye."

Minutes prepared by Kathryn Troiano, Planning Board Secretary

ORIGINAL

STATE OF NEW YORK : COUNTY OF ORANGE

TOWN OF MONROE PLANNING BOARD

-----x  
IN THE MATTER

OF

RYE HILL ESTATES

-----x  
Town of Monroe Senior Center  
101 Mine Hill Road  
Monroe, New York  
March 8, 2016

B E F O R E :

ELISA TUTINI, CHAIRWOMAN

GARY ABRIGNANI, MEMBER

MARY BINGHAM, MEMBER

LISA McQUADE, MEMBER

JEROME O'CONNELL, MEMBER

AUDRA SCHWARTZ, MEMBER

RICHARD TROIANO, MEMBER

ROCKLAND & ORANGE REPORTING

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A P P E A R A N C E S :

KATHRYN TROIANO,  
Planning Board Secretary

MICHAEL H. DONNELLY, ESQ.,  
Planning Board Attorney

MARK J. EDSALL,  
Planning Board Engineer

WARD BROWER,  
Conservation Commission

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Proceedings

THE CHAIRWOMAN: Good evening, everyone.  
It's a little past 7:30, I would like to  
start the March 8, 2016 regular meeting.

Please note the two exits in the back of  
the room and one exit in back of us that  
leads out onto the porch.

Let's stand for the pledge of  
allegiance.

(Whereupon the pledge of allegiance was  
recited.)

THE CHAIRWOMAN: The first item on  
the -- the first thing on the agenda is the  
public hearing for Rye Hill Road.

You want to read this?

MS. TROIANO: With your permission I'll  
read it, it's small and I have my reading  
glasses.

Notice is hereby given by the Planning  
Board of the Town of Monroe, New York as  
follows:

Pursuant to Section A65-6 of the  
subdivision regulations of the Town of Monroe  
and Section 276 of the Town Law of the State  
of New York, the Planning Board will hold a

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2 Public Hearing on the 8th day of March 2016  
3 at 7:30 p.m., or as soon thereafter as is  
4 practical, at the Monroe Senior Center, 101  
5 Mine Hill Road, Monroe, New York 10590, upon  
6 the application of Rye Hill Estates for  
7 subdivision approval allowing the subdivision  
8 of the applicant's property into 10 lots on a  
9 cluster layout basis.

10 The site in question is located with  
11 within the RR1 Zoning District of the Town of  
12 Monroe. The property is located off of Rye  
13 Hill Road and High Ridge Road and is  
14 designated on the tax map for said Town as  
15 location 31, Block 1, lot 29.

16 All persons interested will be heard by  
17 the Planning Board at the Public Hearing to  
18 be held as aforesaid.

19 The Town of Monroe will make every  
20 accomodation -- will make every effort to  
21 ensure that the hearing is accessible to  
22 persons with disabilities. Anyone requiring  
23 special assistance and/or reasonable  
24 accommodations should contact the Town Clerk.

25 This was dated February 16, 2016 and it



## 1 Proceedings

2 was in the February 18, 2016 issue of the  
3 Times Herald statement -- Times Herald  
4 Record, pardon me.

5 (Discussion held off the record.)

6 THE CHAIRWOMAN: Tonight's hearing is  
7 concerned with a subdivision proposal. The  
8 applicant seeks to create 10 lots on a  
9 property located on Rye Hill Road. The  
10 subdivision plan before this Board is  
11 specific proposal for this project. It shows  
12 the location of lots, roadways, driveways,  
13 drainage facilities, and the various  
14 accessory infrastructure elements that makeup  
15 this proposal.

16 This hearing is designed to hear your  
17 comments on these specifics. We invite any  
18 comment or suggestions you may have regarding  
19 this project, it's layout, et cetera.

20 MS. TROIANO: I'll get the list --  
21 actually I think before we have people speak  
22 the engineer will do a presentation of the  
23 project and if you still have questions after  
24 his presentation that might be better than --  
25 so more people --



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THE CHAIRWOMAN: Mark? You want to go ahead and give your presentation?

MR. SIEMERS: Yes. I have a map up here that I'm going to be gesturing to so hopefully the public can see it and the Board. I'm a little tethered to the microphone here so I'm going to do my best going back and forth.

Good evening. My name is Mark Siemers, I'm from Pietrzak & Pfau Engineering and Surveying on behalf of the project applicant.

The parcel in question is located on the east side of Rye Hill Road directly across from the High Ridge Road Rye Hill Road intersection.

To show you that on the map --

THE CHAIRWOMAN: I have a --

MS. TROIANO: I'll give it to --

MR. SIEMERS: I'm standing right here, I can just gesture with my pen if that's okay.

MS. TROIANO: It's free --

MR. DONNELLY: Or you can stand all the way over there.

MR. SIEMERS: So to give you an idea

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where we are, this is Rye Hill Road right here on the map. This is -- sorry -- High Ridge Road right here. This is the intersection, the property is located directly across the street, right here. The Village of Monroe water treatment plant is located -- it's adjoining the project located right here in the back corner.

As was read in the announcement, the parcel is identified as Section 31, Block 1, Lot 29 on the Town of Monroe tax maps. It is approximately 21 acres of land and it's located in the RR1 Zoning District.

The parcel is mostly wooded with a few existing cleared trails. If you can actually see on the aerial image there are a few trails located mostly in the middle of the project here.

The parcel contains approximately 4.7 acres of federally regulated wetlands forming a horseshoe type pattern on the project site. This can be seen on the map, it's a hatched area and it runs up and around here. That's the location of the wetlands. The Ramapo

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2 Creek traverses the southeastern portion of  
3 the site behind the federally regulated  
4 wetlands. And that can actually be seen  
5 right here running through the project site.

6 This proposed project is adjacent to two  
7 separate approved projects. One is the  
8 approved Shea Meadows subdivision to the  
9 north, which is located up here. And the  
10 second is the approved Polack Farms  
11 subdivision to the south, which is located  
12 down here.

13 This project serves to complete the  
14 roadway connection between these two projects  
15 and complete the new roadway that will -- is  
16 proposed to run parallel to Rye Hill Road  
17 that is desired by the Town.

18 The Shea Meadows roadway is located  
19 right here and will connect to the proposed  
20 roadway, run through the project and connect  
21 back to the Polack Farms roadway right here.  
22 This project has no connection out to Rye  
23 Hill Road so it's completely dependant on the  
24 two approved projects that adjoin it.

25 This project was studied in an

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2 environmental impact statement conducted by  
3 the Town for the entire Rye Hill corridor and  
4 will meet all the requirements set forth in  
5 that document. In addition, a project  
6 specific long form environmental assessment  
7 form was submitted for this project to the  
8 Planning Board for review.

9 The project itself consists of a 10 lot  
10 single-family home subdivision and a cluster  
11 subdivision layout. A yield plan was  
12 submitted to the Planning Board and approved  
13 prior to the design of this cluster.

14 And what the cluster subdivision allows  
15 is some flexibility in the lot size and it  
16 allows us to maintain open space around the  
17 lots and conserve areas of wetlands, wooded  
18 areas and streams.

19 So the cluster subdivision consists of  
20 10 lots with a minimum lot area of 15,000  
21 square feet fronting on the proposed road  
22 that I just described to you. This road is  
23 892 feet long and 30 feet wide. Sidewalk is  
24 proposed along this road providing a  
25 pedestrian connection between the projects as

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well. The proposed cluster layout, as I just said, has allowed the project to maintain a small development footprint and avoid disturbance to the existing wetlands and surrounding wooded area. The proposed lots are located approximately 330 feet off of Rye Hill Road, that is this dimension in the back of this lot line to Rye Hill Road here and approximately 300 feet from this lot line to the back property line here. By providing that it allows us to provide a wooded buffer around the project. So the project is being -- is located basically in the middle of the 20 acres with open space surrounding the entire project. Approximately 15.4 of the 21 acres is propose to remain as open space and will be offered to the Town Board for dedication.

The project is located in the Orange County Sewer District and it will be serviced by a connection to the central sewer. Each parcel is proposed to be served by an individual well. The current town water district line ends about here at this

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2 property line so this project will be  
3 serviced by individual wells, which will be  
4 reviewed and approved by the Orange County  
5 Department of Health as a part of the realty  
6 subdivision approval. These wells will be  
7 developed with Town of Monroe and New York  
8 State standards.

9 In designing the project the stormwater  
10 pollution prevention plan was developed for  
11 the project in accordance with the current  
12 New York State DEC regulations. The design  
13 incorporates a green infrastructure technique  
14 such as preservation of open space,  
15 impervious area of discharge to area buffers  
16 and tree planting along impervious services.

17 The design also incorporates a wet pond,  
18 which is located up in this corner here. The  
19 wet pond will treat the stormwater and detain  
20 it to match or decrease the peak runoff of  
21 the rainwater and will slowly release that  
22 water into Ramapo Creek.

23 And that's the project and with that I  
24 will turn it back over to the Planning Board  
25 for public comment.

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MS. TROIANO: Does anyone else want to sign to make a public comment or ask a question? If you don't sign now it doesn't mean you can't sign later, but you have to sign.

THE CHAIRWOMAN: Mike --

MR. ANDRIZZI: Andrizzi.

THE CHAIRWOMAN: -- Andrizzi, excuse me. Come on up.

MR. ANDRIZZI: Good evening. My name is Mike Andrizzi. I live off of Rye Hill Road -- I live on Belmont Drive actually.

I wanted to know what, first of all -- trying to figure that out, I have to try to Google it and spend a half hour. Can you give a little more specific what the side roads -- what is the roads coming off of Rye Hill so an average guy like me can figure out where exactly it is on Rye Hill? I know we have the Rye Hill Estates and there is numerous homes. But you are saying different -- you know, it makes it a lot easier. It's in the Village, it's in the Town, it's on the border. I was a little



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2 concerned about exactly where it is.

3 MR. SIEMERS: It's in the Town directly  
4 across from High Ridge Road, which is right  
5 here.6 MR. ANDRIZZI: So that helps, that's  
7 good enough, perfect.8 So the one concern -- I went to several  
9 meetings and the Town Board or the Planning  
10 Board, Board of Health as well, is the  
11 accessory apartments. And my concern is the  
12 abuse of one to two-family and two-family to  
13 four-family.14 The clustering is a concern, which I'll  
15 get into in a couple seconds. I just jotted  
16 some notes, I didn't really plan on speaking.  
17 But when I saw originally I was the only one  
18 I figured I better speak since no one else  
19 originally was.20 The height of the buildings, are they  
21 going to look anything like K.J. where they  
22 are hidden apartments and they will turn into  
23 three and four-family homes. The Board asked  
24 and I was very surprised, it was very, you  
25 know, like dummies -- not you guys dummies

## 1 Proceedings

2 but, um, um, um, very secrecy on who owns it,  
3 where is it being flipped to. You know, you  
4 got a guy here who is an engineer who is  
5 being paid he is doing his job, but it was  
6 stuttering, I don't know. I don't know.  
7 Nobody seems to know. I mean, here this  
8 should be wide open, open government, who  
9 owns it, what is going on, what is the final  
10 project. What is really happening here.  
11 What is the ultimate goal and the final plan.

12 The concern of the ads, that was brought  
13 up by the Board too. So being we're  
14 televised I'll make sure it's documented.  
15 Those ads went out, were they to scare  
16 people? Nobody seems to know. They withdraw  
17 it. There was an attorney, nobody seems to  
18 know the attorney. You know, it was, it  
19 wasn't. But they were selling them as  
20 two-family homes and my question was what is  
21 the difference between a two-family home and  
22 accessory apartment? So, again, the abuse  
23 that they were selling it, I believe it was a  
24 Yiddish paper selling them as two-family  
25 homes before they were even built.

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2 The problems of what is going on in the  
3 Village, specifically over by Burger King,  
4 Gilbert Street. Nobody knows what happened,  
5 or how it happened, but suddenly maps get put  
6 in wrong, paperwork gets put in wrong, nobody  
7 wants to be to blame, nobody is doing this.  
8 It happens, we are all adults, but it seems  
9 to be in the builder's favor. You know, they  
10 cut down 78 acres, there was a mess with the  
11 mud, the erosion, the neighbors were in an  
12 uproar. The Village, the politicians are in  
13 a panic now, they are trying to calm  
14 everybody down. And everybody is like, how  
15 did this happen? Well, that's why we have  
16 Planning Board meetings and Town Board  
17 meetings so this doesn't happen and it's not  
18 supposed to happen, but it does and it did.  
19 The builder is going to do what he wants.

20 So when you have this secrecy of who,  
21 what, when, where, how, why and nobody wants  
22 to really talk are they going to come in and  
23 just start bulldozing and doing what they  
24 want and it's cheaper to pay the fines, you  
25 know. And who is actually going to be

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2 enforcing these work orders or whatever the  
3 case maybe?

4 So no permit, erosion control, the stop  
5 work orders. Again, you read in the paper  
6 every day, you go past it's a disaster,  
7 people actually got hurt over there. So if  
8 you are really doing everything right you  
9 shouldn't have these problems and if it was  
10 done right in front of the Planning Board you  
11 shouldn't have these problems, but why are we  
12 having them there? So let's make sure that  
13 it doesn't happen here.

14 My concern was why the cluster. He kind  
15 of went over it, but my concern is all right,  
16 you are doing the clustering there is  
17 obviously a reason because all the wetlands  
18 and the land probably isn't worth crap so  
19 they will maximize and put as many homes on  
20 there and then they are going to sell it to  
21 you they are doing you a favor by putting --  
22 the maximum homes that benefits the builder  
23 and because the other land is crap and we  
24 keep falling for it and I think that's a  
25 disadvantage to the Town.

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2 My other concern is if you are offering  
3 the clustering, again I'm comparing to  
4 Gilbert Street -- I'm just a regular guy  
5 reading the paper and driving by every day --  
6 they authorize the 2,000 square foot  
7 building, but yet the builder decides to put  
8 up a 4,000 or 4,100 square foot building.  
9 How could that be? You know, how does that  
10 happen? Why are they allowing it? Oh, we're  
11 going to stop it. The builder is just doing  
12 what he wants and we're supposed to close our  
13 eyes and make believe we don't know what is  
14 going on.

15 So once you approve the clustering to me  
16 there is reason why they want the clustering,  
17 does that stop the land from future  
18 development? I mean, again, not picking on  
19 any particular group of builders, or people,  
20 or whatever, but if you go over to K.J. over  
21 the years that I'm living here, 20 years,  
22 they are building literally on the sides of  
23 mountains, walls that are going up. When  
24 they have fires, you hear, gee, they didn't  
25 have a fire break-in the middle of the

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2 building, how could that be? You know, if  
3 there was all these building inspectors  
4 watching what is going on how did these fires  
5 get so severe and there was no walls for the  
6 fire breaks? How did miraculously they have  
7 shady -- you know, they are new buildings it  
8 should be to the new code.

9 So again, these are my concerns as you  
10 are going to start to develop up and down Rye  
11 Hill. What size are the buildings going to  
12 be? How many families? How many stories?  
13 Who is going to enforce it? Also, what is  
14 the wetland buffer? That's my concern. You  
15 know, it seems to be, you know, politics  
16 being what they are, you know, you go in  
17 front of the Variance Board and you start to  
18 get all these waivers. You know, a hundred  
19 feet turns into 75 feet, turns into 50 feet,  
20 turns into 30 feet, somehow you get a waiver.  
21 So, again, the buffers are there for a  
22 reason, what are the buffers, are we going to  
23 force it or are we going to stick with it?

24 Thank you.

25 THE CHAIRWOMAN: Thank you. Linda

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2 Dephillips?

3 MS. DEPHILLIPS: Good evening. Can you  
4 hear me all right or no? Yes?

5 I'm here today because I received my  
6 certified letter on -- on the 27th of  
7 February and my property actually borders  
8 this new development, I'm 31130.

9 And I have some concerns being that, you  
10 know, I've lived here a long time and that  
11 was the first I was hearing about the Rye  
12 Hill Estates when I received the certified  
13 letter.

14 If you could point it out to me maybe  
15 where my property is?

16 MR. SIEMERS: Sorry, I didn't hear your  
17 name.

18 MS. DEPHILLIPS: Linda Dephillips,  
19 31130 --

20 MR. SIEMERS: Right here.

21 MS. DEPHILLIPS: So this is you have to  
22 --

23 MR. O'CONNELL: Can you move the mic  
24 closer, please, maybe?

25 MS. DEPHILLIPS: Okay, well, all



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right --

(The speaker cannot be heard.)

MS. DEPHILLIPS: There is some concerns with the roadway -- where the roadway is coming off of Shea Estates and where is that going to like end? Is it ending on Rye Hill down further on Rye Hill or going onto Reynolds?

MR. SIEMERS: Do you want me to answer this?

THE CHAIRWOMAN: Yes, please.

MR. SIEMERS: This right here is Polack Farms, that's an approved subdivision. There is an entrance on to Rye Hill -- it's actually at the Berry Road Rye Hill Road intersection. The answer is --

MS. DEPHILLIPS: So at the top of Rye Hill?

MR. SIEMERS: Okay. That is one connection with Rye Hill. There is a second connection here on Shea. This is Shea --

MS. DEPHILLIPS: Yes, I know where Shea farm is --

MR. SIEMERS: Other than that the road

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2 goes all the way through and it goes up and  
3 eventually connects to the realigned Reynolds  
4 Road where the realigned intersection is --

5 MS. DEPHILLIPS: Okay, so that's clear  
6 now.

7 From what I understood with your opening  
8 statement as far as the homes, you said 10  
9 single-family homes --

10 MR. SIEMERS: Correct.

11 MS. DEPHILLIPS: So does that mean there  
12 will just be one-family living in each home?

13 MR. SIEMERS: It means single-family  
14 homes.

15 MS. DEPHILLIPS: Okay, because the  
16 letter I received was in regards to cluster  
17 housing. I was like, oh, I thought cluster  
18 meant that so I guess not. But then when I  
19 looked at the definition of cluster housing I  
20 learned that it could be something equivalent  
21 to multi-family housing --

22 THE CHAIRWOMAN: Accessory? Is that  
23 what you are referring to, accessory?

24 MS. DEPHILLIPS: Yeah. Where it could  
25 be more than one family living in a house

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or -- it could be more like a condo or  
townhouse --

THE CHAIRWOMAN: A mother daughter type  
thing --

MS. DEPHILLIPS: Yeah --

THE CHAIRWOMAN: -- is what they are --

MS. DEPHILLIPS: Well, no, no, no. I  
don't know from what I read on the definition  
of cluster it could mean like a townhouse  
where you could have four -- say four homes  
on one lot to make one. So are you --

MR. SIEMERS: These aren't townhouses.

MS. DEPHILLIPS: So they are going to be  
single-family homes, okay. And that's final,  
right? Is that final? They are going to be  
single-family homes?

MR. SIEMERS: They are single-family  
homes on single-family lots --

MS. DEPHILLIPS: Okay, so then the  
other --

SPEAKER: You can't use that.

THE CHAIRWOMAN: Why not?

SPEAKER: -- if you are going to do  
something like that you should just ask me

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2 because that doesn't work.

3 THE CHAIRWOMAN: All right, Mike, you  
4 need to clear that up because that's very --

5 MR. DONNELLY: Every single-family home  
6 in the Town of Monroe under the current  
7 zoning chapter is entitled to have what is  
8 called an accessory dwelling unit. It's not  
9 a two-family home. It may sound like  
10 semantics, but it doesn't have two garages  
11 and two entrances. But accessory dwelling is  
12 allowed, there is no requirement that the  
13 people living in the accessory unit --

14 (The speaker cannot be heard.)

15 MR. DONNELLY: -- it doesn't allow a  
16 four-family home or a townhouse -- townhouse  
17 style, but it does allow an accessory  
18 dwelling unit.

19 MS. DEPHILLIPS: Okay, so in reality it  
20 could be two families living in -- under one  
21 roof?

22 THE CHAIRWOMAN: Yes.

23 MS. DEPHILLIPS: Okay. All right, so  
24 that's fine.

25 Now, as far as the surrounding land,

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there is a lot of it and it's woodland and  
it's nice. Is there -- you know, the whole  
thing about the future, I mean, and he talks  
about all right, we allow this, and what  
happens in the future when people want to  
expand? Will this development want to expand  
in the future?

MR. SIEMERS: It can't.

MS. DEPHILLIPS: It can't? That's --

MS. SCHWARTZ: They are dedicating the  
land --

MS. DEPHILLIPS: Okay. All right --

(The speaker cannot be heard.)

MS. DEPHILLIPS: They are going to have  
wells and they are going to be hooked up to  
municipal sewage?

MS. SCHWARTZ: Yes.

VOICE: How many -- what is the proposed  
square footage of the houses?

MS. DEPHILLIPS: Oh, okay, yeah, that's  
a good question. How big --

SPEAKER: Talk into the microphone --

MS. DEPHILLIPS: Okay --

MS. SCHWARTZ: Mark, do you have those

1 Proceedings

2 answers?

3 MR. SIEMERS: Yes. Can I use the  
4 microphone?

5 MS. DEPHILLIPS: Sure.

6 MR. SIEMERS: Okay, the square footage  
7 of the proposed houses -- proposed house  
8 footprints are 50 by 30, 50 foot by 30 foot.  
9 And they have -- they have been designed with  
10 two bump outs for porches or whatever else is  
11 designed in the actual architectural once  
12 it's done for a total house footprint of  
13 1,732 square feet. No architecturals have  
14 been prepared for this project so all we can  
15 speak of at this point are footprints. And  
16 the footprints are limited by the stormwater  
17 design and the Town of Monroe puts in their  
18 approval resolutions and there is a note on  
19 the map that the project is limited to this  
20 square footage of a footprint, based on the  
21 stormwater design, unless that comes back to  
22 an official in the Town and is reviewed and  
23 approved.

24 MR. DONNELLY: Thank you.

25 VOICE: I didn't put my name on the

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list.

THE CHAIRWOMAN: Sure.

MR. WHITMAN: Lance Whitman, I live in  
Briarcliff Estates --

THE CHAIRWOMAN: Wait, I have Seth next.  
Seth?

MR. WHITMAN: Sorry --

MR. BADER: Geez -- I guess I have to  
tell my name and where I live?

THE CHAIRWOMAN: Yes.

MR. BADER: Seth Bader, I live off of --  
basically off of Berry Road and Margaret  
Road.

Your name, sir? I didn't catch it.

MR. SIEMERS: Mark Siemers.

MR. BADER: So, Mark, just a couple  
questions regarding the development.

First of all, we covered the square  
footage and you mentioned that there aren't  
any architectural plans that are submitted,  
but it's approved for a 1,700 square foot  
footprint?

MR. SIEMERS: Design.

MR. BADER: Design?



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MR. SIEMERS: It's not approved yet.

MR. BADER: So I guess the question is whether it's designed or approved an architectural has to be done so are there any limitations being it's RR1 on the amount of floors that this structure can have? I'm not familiar with the code.

MR. ABRIGNANI: Just the building height --

MR. EDSALL: It's a 35 foot maximum building height.

MR. BADER: And, again, does that -- two, three-story dwelling usually -- like if you are building to the maximum of 35 feet I assume ten foot ceilings, I'm thinking three stories, right?

MR. EDSALL: It would seem that's a possibility, yes.

MR. BADER: So essentially depending -- you know, 1,700 footprint times three could be about a 4,000 square foot home --

MR. ABRIGNANI: It's five --

MR. BADER: Five? So that's a big concern. I'm hoping that the Board takes

## 1 Proceedings

2 into consideration a restriction on the  
3 height of these dwellings.

4 The accessory apartment code continues  
5 to be a major concern of mine. Last night I  
6 heard -- and I didn't know any of the  
7 particulars -- but I heard that on average  
8 it's about five applicants a year. And in my  
9 opinion five applicants a year, it's very  
10 little benefit for an awful lot of possible  
11 abuse. You know, there is five people that  
12 have benefited on average each year and  
13 that's I guess the upside of keeping the  
14 code. The downside is it could leave room  
15 for some tremendous abuse especially when  
16 looking at developments of these scale.

17 So I know that there are different  
18 opinions on it, I'm only up here sharing my  
19 own opinion. I would like to see it  
20 completely removed from code -- that's just  
21 my opinion. If there were more than five  
22 benefiting from it and it was heavily  
23 utilized you could have, I think, a stronger  
24 argument, but five -- whatever that  
25 percentage is of the Town that too too small

## 1 Proceedings

2 to have even a single possibility of abuse.  
3 And I continue to say that every step of the  
4 way.

5 MS. SCHWARTZ: Can you clarify what you  
6 are talking about, five what?

7 MR. BADER: Last night I think I heard  
8 the statistics and I may have been incorrect  
9 in my recollection of it, but that this past  
10 year there were five approved accessory code  
11 permits --

12 MS. SCHWARTZ: That's what I thought,  
13 but I wasn't sure. Okay.

14 MR. BADER: If theoretically if it was  
15 removed than those five would have been  
16 dissatisfied, but five dissatisfied citizens  
17 for thousands I think is a fair trade off.  
18 You know, in times when -- and I hate to draw  
19 a correlation to the country's national  
20 security, or terrorism, or things like that,  
21 but, you know, we live in a day and age where  
22 I think we all have to make some sacrifices  
23 on our own personal liberties or rights for  
24 maybe a greater good. And I'd be willing to  
25 sacrifice the ability to have an accessory

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## Proceedings

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apartment if it protected and ensured the

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future of our community.

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And this is the piece I learned on this,  
you know -- it's a road that has to hookup to

6

both Shea Meadows and Polack Farms. And are

7

those both in final approval? They are --

8

MS. SCHWARTZ: Yes, Shea is --

9

10

MR. BADER: Okay, which is why this is  
being brought and discussed now. My biggest  
concern is when you described it earlier, one  
end of the road down at Shea Meadows empties  
out to the new Reynolds, right?

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MR. ABRIGNANI: Yup.

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MR. BADER: But am I correct in  
understanding the statement that the other  
end of this road will empty out right at that  
intersection or that fork of Berry and Rye  
Hill?

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MR. SIEMERS: That's not the end of the  
road, but that is a second connection to Rye  
Hill. And part of that -- part of the Polack  
Farms approval of that project was realigning  
that whole intersection and creating it -- it  
was supposed to be cut down so that

## 1 Proceedings

2 intersection has a lot of work to be done,  
3 but that's not a separate project.

4 MR. BADER: Yeah, and I mean -- I -- not  
5 to put the cart before the horse, but if we  
6 are going to be developing and these are 10  
7 units and I mean, probably if I was just  
8 wishfully thinking that these were only truly  
9 10 households, 10 families, and I think the  
10 others represent --

11 MR. SIEMERS: Forty-nine.

12 MR. BADER: -- forty-nine and -- right?  
13 So over a hundred additional families  
14 emptying out onto that intersection, you  
15 know, I -- I live -- as I mention I live on  
16 Margaret Road and when I head into town to  
17 Stop & Shop I drive to the end of Ludlum and  
18 make a left onto Berry and I head down Berry  
19 onto Rye Hill and down that way. My wife  
20 refuses to go that direction. She refuses to  
21 go to make the turn from Ludlum onto Berry  
22 because it's such a blind and hazardous turn  
23 onto there. And she's been almost nearly --  
24 with my two babies in the car -- involved in  
25 an accident at that intersection that we are

## 1 Proceedings

2 describing this empties onto. It's extremely  
3 extremely hazardous. You are coming up the  
4 hill of Berry, it's -- the stop sign is  
5 setback from that intersection, it's a turn.  
6 It's just -- it's -- it's a disaster. It's a  
7 disaster now without an additional hundred  
8 families living on that road.

9 So if we do move forward with all these  
10 developments I would like to think that that  
11 has got to be a condition, that's got to be  
12 in place prior to everything going up.  
13 Because you are talking about -- even if the  
14 families aren't in there yet the construction  
15 that is involved with it, there is going to  
16 be an awful lot of traffic there.

17 I was just writing down some notes.

18 The wells represent a little bit of a  
19 concern to me and I don't know if it's  
20 warranted or not. But I can tell you, you  
21 know, I moved into a -- I was born -- I  
22 wasn't born here, I was raised here. I moved  
23 here when I was I think three years old with  
24 my family. Lived here -- I'm 35 so I've  
25 lived here probably about 30 of those

## 1 Proceedings

2 35 years. And we -- my wife and I lived in  
3 Queens at one point after school and we moved  
4 up here to start a family and we actually  
5 built the house right down the road from my  
6 old baby-sitter, Grace. And we needed to  
7 drill a well. And I can tell you personally  
8 the amount that's been involved with my  
9 water -- and I hope that it hasn't affected  
10 any of my neighbors -- but when they drilled  
11 the well originally for my house I think we  
12 were at about 600 feet. After about a year  
13 we went dry and we are over a thousand feet  
14 now recently. So the water table, I can tell  
15 you from recent -- you know, this is two  
16 years ago -- recent experience, the water  
17 table that exists in this area in my opinion  
18 has got to be extremely fragile. Because I  
19 though that's the experience I've had and  
20 when I talk to other neighbors their wells  
21 are equally deep because they need to get  
22 through multiple levels of that water table  
23 to be able to have sufficient water. And I  
24 just fear this amount of development being  
25 tapped into each house having its own well



1 Proceedings

2 and each house theoretically having not just  
3 one-family, but two, possibly three families  
4 or four families on each property drawing  
5 down on one single well is going to stress  
6 the resources in this area to the breaking  
7 point.

8 So that would be the last concern I have  
9 on the approval of these developments.

10 Thanks.

11 THE CHAIRWOMAN: Thank you. Lance  
12 Whitman?

13 MR. WHITMAN: My name is Lance Whitman,  
14 I live in Briarcliff Estates. It's on the  
15 east side of Rye Hill.

16 I just have one quick question, as far  
17 as you said you were going to dedicate the  
18 land, would that be dedicated to the Orange  
19 County Land Trust or the Town?

20 MR. SIEMERS: It would be offered to the  
21 Town. And it's been the Town's policy to  
22 accept that open space to that point.

23 MR. WHITMAN: Okay. The last question  
24 was, I've lived here my whole life as well,  
25 we were going to move to Preswick and this

1 Proceedings

2 property was mentioned phase two, three,  
3 four, and five for Preswick it's shale. Are  
4 you guys going to -- is it shale, or are you  
5 guys digging down, or is it going to be three  
6 stories off the ground as far as the proposed  
7 homes?

8 VOICE: There is a lot of ledge there --

9 MR. WHITMAN: Are you going to be doing  
10 basements, or is it just a slab?

11 MR. SIEMERS: That's not planned yet,  
12 that's not finalized.

13 MR. WHITMAN: Okay, thank you.

14 THE CHAIRWOMAN: Thank you.

15 Would anyone else like to speak?

16 Okay, so would anyone like to make a  
17 motion to close the Public Hearing?

18 MR. TROIANO: I'll make the motion to  
19 close it.

20 THE CHAIRWOMAN: Would someone like to  
21 second that motion?

22 MS. McQUADE: I'll second the motion to  
23 close.

24 THE CHAIRWOMAN: Those in favor?

25 ALL: Aye.

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THE CHAIRWOMAN: And the Chair says aye.  
Thank you all.

(Whereupon the Public Hearing was  
closed.)

THE CHAIRWOMAN: Now we are moving onto  
our regular meeting and first on the agenda  
is Rye Hill Estates and what we have for the  
owner is Meadow Hill, LLC, owner.

And we are going to be -- it's the  
discussion of 10 lots.

MR. SIEMERS: Hello. Okay, well, we --  
the purpose of tonight's meeting for us was  
to hold the Public Hearing. I've taken good  
notes on the questions and I know we have a  
Stenographer here tonight, we will get the  
minutes and we will prepare a response  
document to the Planning Board for review and  
discussion.

MS. SCHWARTZ: So the public knows, how  
would they get access to that response,  
Elisa?

THE CHAIRWOMAN: We could probably get  
it on the website.

MS. SCHWARTZ: I think that's what we

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would normally do, right?

MR. DONNELLY: It should be placed  
there --

MS. SCHWARTZ: So when stuff is prepared  
it will be up there and you guys can --

THE CHAIRWOMAN: It will be on the  
website --

VOICE: Do we have an estimate on how  
long? Should we be checking each day between  
now and then?

MR. DONNELLY: Well, you have closed the  
hearing, you must act within 62 days or the  
project is deemed approved. What I'm  
suggesting to you is calendar this, at least  
for the May meeting. And if the applicant  
does not extend the 62 day time period -- I  
anticipate they would if they haven't  
provided that information -- then I recommend  
you disapprove the project --

(The speaker cannot be heard.)

MR. DONNELLY: -- we don't need to deal  
with it now we probably have a couple weeks  
until the transcript is done and some number  
of weeks for Mark to put that together. It

## 1 Proceedings

2 may or may not be done by the April meeting.  
3 I think it will be more likely the May  
4 meeting.

5 MS. SCHWARTZ: So we need to make sure  
6 it's on our May workshop schedule because if  
7 it's not done, we cannot --

8 MR. SIEMERS: There is a submit date  
9 before each meeting, I believe two weeks  
10 before a meeting. So, you know, two weeks  
11 before the Planning Board meeting it should  
12 show up on the website.

13 THE CHAIRWOMAN: Two weeks before the  
14 next Planning Board meeting if you guys want  
15 to check your website.

16 MR. SIEMERS: Not necessarily the next  
17 one because we need to get the minutes. But  
18 I'm just saying two weeks before any Planning  
19 Board meeting the public can check the  
20 website to see if there is anything up there.

21 (The speaker cannot be heard.)

22 THE CHAIRWOMAN: Certainly.

23 MS. BINGHAM: I have a question for the  
24 applicant. The road is cutting through part  
25 of the wetlands, I would like to know what

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1 plans, fauna, endangered species, are there?  
2 Are there any animals that need an  
3 underground passage under the road? In  
4 certain areas the turtles are getting run  
5 over in drastic numbers, as well as the  
6 salamanders. So I would like details on the  
7 cut through the wetlands with the road.  
8

9 MR. SIEMERS: Sure. So what we've  
10 done -- and we actually discussed this I  
11 believe in November when we were here. We do  
12 -- the section of wetlands where this road  
13 cuts in is basically in a horseshoe so the  
14 water that lands at the road crossing in the  
15 existing condition goes -- depending on where  
16 it lands in that horseshoe either goes  
17 towards Ramapo Creek, or it goes towards the  
18 wetlands that continue onto the Shea Meadows  
19 property. So it's not really a, you know,  
20 flow connection there so we put the road  
21 through the narrowest section of the wetlands  
22 and connected it with a drainage pipe. And  
23 when we were discussing it with the Planning  
24 Board we decided that we would add a second  
25 drainage pipe in there at a slightly higher

1 Proceedings

2 elevation to allow for the travel of any  
3 animals through there.

4 MS. BINGHAM: Thank you.

5 THE CHAIRWOMAN: Ward, do you have  
6 anything you want to add?

7 MR. BROWER: Ward Brower, Conservation  
8 Commission.

9 Mark, maybe a little bit of  
10 misconception, because the wetlands are going  
11 to be protected regardless of a cluster or  
12 not, so that amount of property of  
13 protection, buffer zone is pretty much fixed  
14 due to law. What you are doing is proposing  
15 adding an additional amount of land to the  
16 already protected land, that's the clustered  
17 land looking at it.

18 MR. SIEMERS: That's correct. Only a  
19 certain amount of wetlands can be disturbed  
20 by law. What we are doing is removing the  
21 rest of the area from lots so they wouldn't  
22 be privately owned, they will be owned by the  
23 Town, which puts a level of protection over  
24 that area, you know, takes it out of the lot  
25 owner's hands.

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MR. BROWER: I just wanted to clarify that point. Thank you.

THE CHAIRWOMAN: Thank you.

Does the Board have anymore questions?

Mark, anything you would like to add?

MR. EDSALL: The only addition I have is as part of Mark's additional submittals we had some minor comments on the SWIPP. And we will look to make sure that that is finalized when all the other application information comes back in.

THE CHAIRWOMAN: Any other comments from the Board?

MR. ABRIGNANI: No.

THE CHAIRWOMAN: I guess not. Thank you, Mark.

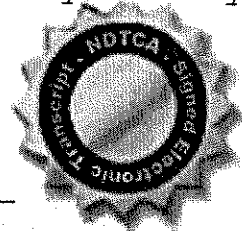
MR. SIEMERS: Thank you very much.

(Whereupon the Rye Hill Estates matter ended and the Planning Board continued with the next matter on the agenda.)



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7 THE FOREGOING IS CERTIFIED to be a true  
8 and correct transcription of the original  
9 Stenographic minutes to the best of my ability.

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## LAWYER NOTES/ERRATA SHEET

[illegible]

**Print Name:**

**Sworn or affirmed to before me this**

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

**Notary Public**

<p><b>A</b></p> <p>A65-6 3:22</p> <p>ability 29:25 42:9</p> <p>able 33:23</p> <p>ABRIGNANI 1:14 27:9,23 30:14 41:15</p> <p>abuse 13:12 14:22 28:11,15 29:2</p> <p>accept 34:22</p> <p>access 36:21</p> <p>accessible 4:21</p> <p>accessory 5:14 13:11 14:22 21:22,23 23:8 23:11,13,17 28:4 29:10,25</p> <p>accident 31:25</p> <p>accommodations 4:24</p> <p>accommodation 4:20</p> <p>acres 7:13,21 10:15 10:17 15:10</p> <p>act 37:13</p> <p>actual 25:11</p> <p>add 39:24 40:6 41:6</p> <p>adding 40:15</p> <p>addition 9:5 41:7</p> <p>additional 31:13 32:7 40:15 41:8</p> <p>adjacent 8:6</p> <p>adjoin 8:24</p> <p>adjoining 7:8</p> <p>ads 14:12,15</p> <p>adults 15:8</p> <p>aerial 7:17</p> <p>aforesaid 4:18</p> <p>age 29:21</p> <p>agenda 3:13 36:7 41:21</p> <p>ago 33:16</p> <p>ahead 6:3</p> <p>allegiance 3:9,10</p> <p>allow 23:15,17 24:5 40:2</p> <p>allowed 10:3 23:12</p> <p>allowing 4:7 17:10</p> <p>allows 9:14,16 10:12</p> <p>amount 27:6 33:8,24 40:12,15,19</p> <p>and/or 4:23</p> <p>Andrizzi 12:8,8,9,11 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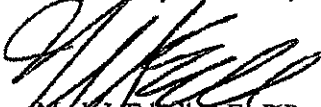
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**TOWN OF MONROE  
PLANNING BOARD  
REVIEW COMMENTS**

**PROJECT NAME:** MENDEL BREUER SITE PLAN  
(CONVERSION OF BARN INTO OFFICE USE)  
**PROJECT LOCATION:** 55 OLD COUNTRY ROAD  
OLD COUNTRY ROAD & LARKIN DRIVE  
SECTION 2 – BLOCK 1 – LOT 5.112  
**PROJECT NUMBER:** 12-008  
**DATE:** 8 MARCH 2016  
**CONSULTANT:** AFR ENGINEERING & SURVEYING  
**PLAN DATE:** Rev. 10 - Dated 2-16-16  
**DESCRIPTION:** THE APPLICATION PROPOSES THE CONVERSION OF A BARN INTO  
AN OFFICE USE. THE APPLICATION WAS PREVIOUSLY REVIEWED  
AT THE 11 SEPTEMBER 2012, 5 FEBRUARY 2013, 2 SEPT 2014,  
7 OCTOBER 2014\*\*, 14 OCTOBER 2014, 2 JUNE 2015\*\*^, 9 JUNE 2015,  
6 OCTOBER 2015 \*\*^, 5 JANUARY 2016\*\*, 2 FEBRUARY 2016\*\*^,  
9 FEBRUARY 2016 AND 1 MARCH 2016\*\*^ PLANNING BOARD MEETINGS.  
\*\* indicates worksession meeting ^ indicates applicant failed to appear

1. The applicant's engineer has submitted a new revised plan. All issues appear to be corrected with the exception of one item which has been mentioned multiple times, which I can not find the appropriate correction on the plans:
  - The trench detail for utilities within the town road is still wrong. The backfill for the entire depth must be NYSDOT Item No. 4 ( not just the top 8")
2. The Attorney for the Planning Board has advised that this application is Type II under SEQRA, but requires a Public Hearing prior to consideration of any approvals.

Respectfully Submitted,

  
Mark J. Edsall, P.E., P.P.  
Engineer for the Town

MJE/st  
Monroe12-008-08Mar2016



**McGOEY, HAUSER and EDSALL**  
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**TOWN OF MONROE**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** KATZMAN SITE PLAN  
**PROJECT LOCATION:** NYS ROUTE 17M (NORTH MAIN STREET)  
SECTION 25 – BLOCK 3 – LOT 11  
**PROJECT NUMBER:** 15-007  
**DATE:** 8 MARCH 2016  
**CONSULTANT:** T.M. DEPUY ENGINEERING & SURVEYING  
**PLAN DATE:** Rev. 2 – Dated 08/14/15 (2-sheet set)  
**DESCRIPTION:** THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 7 JULY 2015  
AND 1 MARCH 2016\*\* PLANNING BOARD MEETINGS.  
\*\* denotes worksession meeting

1. The property is located on Route 17M at the Village of Harriman municipal line. The property is in the GB (General Business) and Route 17M Buffer Overlay Districts. The application was referred to the Planning Board by the Code Enforcement Officer.

This application involves prior approvals which were not completed and are now part of final plans intended to properly complete such approvals. A copy of the Zoning Board of Appeals decision (favorable interpretation) dated September 2006 were also circulated for reference.

2. The Board has requested a narrative and copies of the old minutes to review prior discussions and actions prior to approval action.
3. The Board should review with the Attorney for the Planning Board, any procedural steps needed to close out this application.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Mark J. Edsall', is written over a printed name and title.

Mark J. Edsall, P.E., P.P.  
Engineer for the Town

MJE/st Monroe15-007-08Mar2016.doc

• Regional Office • 111 Wheatfield Drive • Suite 1 • Milford, Pennsylvania 18337 • 570-296-2765 •

**ACEC** Member